

NINETEENTH JUDICIAL DISTRICT COURT  
PARISH OF EAST BATON ROUGE  
STATE OF LOUISIANA

NUMBER: 499-737

DIVISION: D

J. ROBERT WOOLEY, AS  
ACTING COMMISSIONER OF INSURANCE  
FOR THE STATE OF LOUISIANA  
VERSUS  
AMCARE HEALTH PLANS OF LOUISIANA, INC.COST OK \$ 5.00  
Chf 30079  
OCT 17 2012  
100  
DEPUTY CLERK OF COURT

FILED: \_\_\_\_\_

DEPUTY CLERK

Filed on Behalf of - State of Louisiana - State Pays No Court Costs  
La. R.S. 13:4521EX PARTE MOTION AND INCORPORATED MEMORANDUM FOR  
AUTHORITY TO PAY AGREED UPON SETTLEMENT AMOUNT TO  
MEDIMPACT HEALTH CARE SERVICES, INC.

NOW INTO COURT, through undersigned counsel comes, James J. Donelon, Commissioner of Insurance for the State of Louisiana as Liquidator for AmCare Health Plans of Louisiana, Inc. In Liquidation, through the Court-appointed Deputy Receiver, Marlon Harrison ("AmCare-LA"), who submits that a settlement of the matter involving the proof of claim submitted by MedImpact Health Care Systems, Inc. ("MedImpact") was entered in open Court on October 10, 2010 pursuant to a stipulation of AmCare-LA and MedImpact. The stipulation approved by the Court requires the payment of the sum of Two Hundred Thousand (\$200,000.00) Dollars to MedImpact by AmCare-LA on or before November 10, 2012.

Because the claim asserted by MedImpact is a Class Five, general creditor, claim and interest due on the Class Two, policyholders, beneficiaries or insureds, claims has not yet been authorized by this honorable Court and/or paid by AmCare-LA, AmCare-LA makes application to this Court pursuant to La. R.S. 22:2034 for specific authority to make payment of the agreed upon settlement amount to MedImpact within the next thirty (30) day pursuant to the stipulation entered in this matter in open Court at the hearing set on October 10, 2012, in order to avoid a later challenge to the distribution of funds.

WHEREFORE, AmCare-LA prays that this motion be given expedited consideration and the Court grant AmCare-LA specific authority to make payment of the agreed upon settlement amount to MedImpact within the next thirty (30) days pursuant to the stipulation entered in this matter in

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open Court on October 10, 2012, in spite of the fact that interest on the Class Two claims has not yet been paid, and for all other appropriate relief.

Respectfully submitted,

**BURGLASS & TANKERSLEY, LLC**



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Attorneys for JAMES J. DONELON

Commissioner of Insurance for the State of Louisiana as

Liquidator of AmCare Health Plans of Louisiana, Inc. In Liquidation

**CERTIFICATE OF SERVICE**

I hereby certify that I have served a copy of the foregoing pleading to counsel for MedImpact Health Care Services, Inc. by electronic transmission, this 16<sup>th</sup> day of October, 2012.

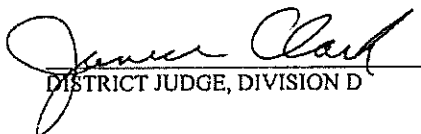


**ORDER**

Considering the above and forgoing,

IT IS ORDERED that AmCare Health Plans of Louisiana, Inc. In Liquidation be and hereby is authorized to pay the agreed upon settlement amount to MedImpact Health Care Systems, Inc. within the next thirty (30) days pursuant to the stipulation entered in this matter in open Court on October 10, 2012, ~~as the Court has not yet addressed the payment of interest on the Class Two claims, but there is no just reason for delay.~~

Baton Rouge, Louisiana, this 19 day of Oct, 2012.

  
DISTRICT JUDGE, DIVISION D

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